

IN THE  
UNITED STATES DISTRICT COURT  
FOR THE  
WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

FILED IN OPEN COURT  
DATE 9-5-15  
BY [Signature]  
DEPUTY CLERK  
DIVISION, W.D. of VA

UNITED STATES OF AMERICA

: Case No. 7:15-CR-00022

v.

LLOYD DEAN SMITH

**STATEMENT OF FACTS**

This Statement of Facts briefly summarizes the facts and circumstances surrounding the criminal conduct of the Defendant, Lloyd Dean Smith. It does not necessarily contain all of the information obtained during this investigation and applicable to an accurate Presentence Report and Sentencing Guidelines calculation. The conduct described below occurred within the Western District of Virginia.

In May 2012, the Department of Homeland Security Investigations Office undertook a national investigation pertaining to child pornography. During the investigation, SA Hunter Durham received information that the IP address that was associated with Lloyd Smith of 348 Boyd Avenue, New Castle, Virginia, was receiving child pornography.

On May 21, 2012, a federal search warrant was issued to SA Durham. The place to be searched was 348 Boyd Ave., New Castle, Virginia. On May 22, 2012, SA Durham and Detective Robert Hawkins of the Christiansburg Police Department encountered Lloyd Smith and his mother at the front door of 348 Boyd Ave (misabeled with the numbers "909" but Smith admitted that the residence was indeed 348 Boyd Ave). Smith agreed to consensually allow SA Durham and Detective Hawkins to come into the residence.

Lloyd Smith engaged in a consensual interview with SA Durham. During the conversation, Smith stated that he had lived at the residence continuously since 1971 and his computer was the only one present in the home. Smith also stated that he was the only one that used the computer and internet service. Smith provided his e-mail address as Dept91@tds.com and stated that he frequently uses peer to peer software such as Emule to trade files with others on the internet.

Smith was advised that the agents were there to investigate the transmittal of child pornographic images over the internet. Smith advised that he understood child pornography to be files, photos, or images of persons under the age of 18 that are sexual in nature. Smith admitted that had engaged in the possession of child pornography, and that child pornographic images would


be present on his computer. Smith also admitted that he had obtained the files using peer to peer software by way of his internet service. Smith said he had about 2 terabytes of child pornography on his home computer, as well as other images on compact disks.


At this time, Smith was advised of the federal search warrant that had issued. SA Durham informed Smith that he was not under arrest. Smith then continued to engage in the consensual interview and stated that he used the Emule program to search for and obtain files. At the conclusion of the interview, Smith's residence was searched, and Smith's electronic devices were seized. A fraction of these devices were forensically examined and revealed 20 videos and 621 images of child pornography, including minors under the age of 12. Specifically, the photos and videos depict male and female minors, including those appearing to be under the age of 12, engaged in auto and partner sexual acts (with adults and other minors) including, but not limited to, intercourse, masturbation, oral sex, and posing. In addition, there are images in which the minors are restrained or bound.

I have reviewed the above Statement of Facts with my attorney. I agree that had this matter proceeded to trial, the United States would have proven the facts outlined above beyond a reasonable doubt.

9-8-15  
Date

9/8/15  
Date

  
LLOYD DEAN SMITH  
Defendant

  
FAY SPENCE, ESQ.  
Attorney for Defendant